

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

RONITA HINES,

Plaintiff,

:

Case No. 3:11-cv-409

-vs-

Judge Thomas M. Rose
Magistrate Judge Michael J. Newman

SOCIAL SECURITY ADMINISTRATION,

Defendant.

:

**REPORT & RECOMMENDATION AND
NOTICE REGARDING OBJECTIONS**

Now before the Court is *pro se* Plaintiff's application to proceed *in forma pauperis* (doc. 21). Recognizing that judgment was recently entered in this case against Plaintiff, and also that Plaintiff has filed a notice of appeal, the Court assumes this application concerns Plaintiff's request to proceed IFP on appeal.

For the reasons stated in the Court's January 12, 2012 Report and Recommendation (doc. 7), and for the reasons stated in Judge Rose's February 21, 2012 decision entering judgment in favor of the Commissioner (doc. 19), an appeal of this Court's judgment would not be taken in good faith.

The Court therefor **RECOMMENDS** that Plaintiff's motion to proceed IF on appeal be **DENIED**. The Court **FURTHER RECOMMENDS** that the Court issue an Order clarifying that Plaintiff's appeal of the judgment entered in this case would not be taken in good faith.

February 27, 2012

s/ **Michael J. Newman**
United States Magistrate Judge

NOTICE REGARDING OBJECTIONS

Pursuant to Fed.R.Civ.P. 72(b), any party may serve and file specific, written objections to the proposed findings and recommendations within fourteen days after being served with this Report and Recommendations. Pursuant to Fed.R.Civ.P. 6(e), this period is automatically extended to seventeen days because this Report is being served by one of the methods of service listed in Fed.R.Civ.P. 5(b)(2)(B), (C), or (D) and may be extended further by the Court on timely motion for an extension. Such objections shall specify the portions of the Report & Recommendation objected to and shall be accompanied by a memorandum in support of the objections. If the Report & Recommendation is based in whole or in part upon matters occurring of record at an oral hearing, the objecting party shall promptly arrange for the transcription of the record, or such portions of it as all parties may agree upon or the Magistrate Judge deems sufficient, unless the assigned District Judge otherwise directs. A party may respond to another party's objections within fourteen days after being served with a copy thereof. Failure to make objections in accordance with this procedure may forfeit rights on appeal. *See United States v. Walters*, 638 F.2d 947 (6th Cir. 1981); *Thomas v. Arn*, 474 U.S. 140 (1985).